MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128293/FO/2020
Date registered valid:	13 November 2020
Proposal:	Change of Use of dwelling from dwellinghouse (Class C3) to carehome (Class C2) and associated elevational alterations
Address:	218 Wythenshawe Road, Manchester, M23 0PH
Ward(s):	Brooklands Ward
Applicant:	Family Care Associates Ltd, 60 School Lane, Bamber Bridge, Preston, PR5 6QE
Agent (if any):	Michael Lloyd, Berrys, Beech House , Anchorage Avenue, Shrewsbury Business Park, Shrewsbury, SY2 6FG
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	6 January 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: November 2020

Standard consultations:
Printed: 17 November 2020 Expired: 8 December 2020

Neighbour notifications
Printed: 17 November 2020 Expired: 8 December 2020

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this change of use application is a 2- storey detached dwelling house. It is located on the northern side of Wythenshawe Road facing Wythenshawe Park. It sits on a large plot with gardens to the front and rear, and both pedestrian and vehicular access taken off Wythenshawe Road. The property is located within the Brooklands ward of the City.

The existing dwelling is a substantial detached property extending to a large lounge, a kitchen/dining room, utility room, ground floor WC, four large bedrooms (one en-suite), a bathroom, an office, and an integral garage. There is also provision for off road parking with the front garden having been paved over historically. The rear garden is laid primarily to lawn with established trees and shrub planting.
The boundary of the property comprises of brick wall with railing to the frontage and a 1.8 m timber dividing fence between properties.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The remainder of the area to the north, east and west is predominantly residential in nature with a combination of larger detached properties on the Wythenshawe Road frontage, with a mix of social and private housing on the surrounding roads. Wythenshawe Park is to the immediate south of the site.

Description of development

The existing use of 218 Wythenshawe Road is Use Class C3(a), a dwelling house used by a single person or people to be regarded as forming a single household.

The proposed use of the property is C2: a residential institution that provides residential accommodation and care to people in need of care.

The proposed use of 218 Wythenshawe Road will provide accommodation for up to 4 young people and the provision will require attendance by a team of up to 15 members of staff (14 carers and the registered manager), although only a small proportion of this team would be at the property at any one time and at night time only 2 carers would "sleep in", plus 1 waking night staff member.
It would increase through reconfiguration the number of bedrooms from 4 to 6. This would not increase the proposed floorspace and would be achieved by change of the use of the garage to a bedroom, and subdivision of the master bedroom to the first floor into 2 bedrooms. The existing garage door would be replaced by a window in the front elevation, this would overlook the properties own front garden.

Consultations & Notification Responses

Local residents- were informed. Whilst inquiries were made as to the nature of the use, no representations have been received from neighbouring properties.

Environmental Health- No objections to the proposal subject to the attachment of a condition requiring additional information for the proposed waste management strategy to be submitted to and approved in writing prior to the use first becoming operational.

Highways-The site is suitably accessible by sustainable modes of transport and is in close proximity to a range of public transport facilities including bus and tram.
It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
In terms of parking the amount provided is acceptable. It is recommended that some secure cycle storage is provided for staff, resident and visitor use.
With regard to waste management, further details are sought to verify the storage and collection arrangements.
Pedestrian and vehicle access arrangements are acceptable from a highway perspective.

Issues

National Planning Policy Framework (2018) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity,

using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well an add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long- term strategic planning policies for Manchester's future development.
A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy H10 relates to housing for people with additional support needs. It states that proposals for accommodation for people with additional support needs will be supported where:
- There is not a high concentration of similar uses in the area already.
- Where it will contribute to the vitality and viability of the neighbourhood.
- Where there would not be a disproportionate stress on local infrastructure such as health facilities.

Policy EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
ii. The sustainable waste management needs of the end user will be met.

Policy T2 - States that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed
guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Policy DC2 relates to Class C2 rest homes and nursing homes

DC2.1 states, that, in determining planning applications for rest homes, nursing homes and other uses within Class C2 of the Use Classes Order, the Council will have regard to:
a. the effect of the operation of the business on the amenity of neighbouring residents;
b. the standard of accommodation for the intended occupiers of the premises, including the availability of private outdoor amenity space;
c. the effect of the proposals on visual amenity;
d. the availability of adequate, safe and convenient arrangements for car parking and servicing;
e. the ease of access for all, including disabled people;
f. the desirability of avoiding an over-concentration of special needs or housing in any one area of the City; and
g. the desirability of broadly maintaining the existing character of a residential street or group of adjoining streets.

DC2a.1 states, that planning permission will be refused when it cannot be demonstrated that development proposals will contribute to the achievement of the following objectives for the City's local communities:
(i) to ensure a more even spread of "special needs" accommodation within local areas and across the City as a whole, in order to encourage provision closer to where needs arise and avoid the need for people to move from their local community to find the accommodation they require;
(ii) to ensure the protection of the residential character and amenity of family housing within established communities;
(iii) to avoid the unnecessary loss of the bigger dwelling houses available for larger and extended families;
(iv) to help local communities accommodate a range of special needs without the risk of social stress;
(v) to avoid stigmatising a particular neighbourhood or a particular type of accommodation;
(vi) to create and retain a positive perception of all areas of the City as a contribution towards the goal of maintaining stable and self-sustaining communities;
(vii) to attempt to sustain the vitality and viability of local economies, by encouraging a wide diversity of social groups to live within all parts of the City;
(viii) to avoid creating disproportionate stress on local services, such as health and education; and
(ix) to avoid additional pressure on primary and secondary health care provision in parts of the City where there are already identified concerns about adequacy of services.

DC2b.1 states that, in deciding whether or not to grant planning permission for the kinds of housing accommodation described in the above proposed strategic city-wide policy the Council, in consultation with other competent agencies, will from time to time assess whether or not localised parts of the City have already reached their effective capacity to accommodate further special housing needs, in the terms set out above.

In addition to the social and economic criteria set out above, the Council will only grant planning permission for special needs housing proposals where it can be demonstrated that the proposals will not have an adverse impact on the character of the street or the locality in respect of:
(i) displays of signs and notices;
(ii) additional car parking space involving the loss of mature trees and landscaping, especially in front gardens;
(iii) design of vehicular crossovers to parking spaces in front gardens;

(iv) provision of external fire escapes and lift shafts;
(v) positioning of paladin bins;
(vi) construction of links between what would otherwise be separate dwelling houses;
(vii) additional comings and goings from officials and professional visitors;
(viii) more intensive use of upper floors, which become main living accommodation. This can reduce privacy to adjoining gardens and lead to noise transmission problems through party walls; and
(ix) the quality and maintenance of external areas.

DC2.2 states that there will be a general presumption in favour of Class C2 uses within residential areas, subject to other relevant policies of the Plan.

DC2.3 states that, notwithstanding policy DC2.2, the Council will require any development in this category to:
a. meet the Council's current approved accommodation standards for developments of this kind;
b. provide usable external amenity space.

With regards to development and noise Development Control policy DC26 states that the council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the city. In giving effect to this intention, the council will consider both the effect of the new development proposals, which are likely to be generators of noise and the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Issues

Principle - The City Council welcomes the development of appropriately designed accommodation, which enables people with additional support needs to maintain an independent lifestyle. In assessing these types of applications, the Council would also seek to avoid an over concentration of people with additional support needs in any one particular area.

In assessing the proposed development, consideration has been given to the provision of this type of use within the locality of the site and the impact that the development would have on the character of the area.

It is considered that the proposed development would add to the supply of a much-desired facility that would respond to the needs of individuals requiring comprehensive residential care. The children that would occupy the property are currently residing at another property that is located outside of the City boundaries; however, this proposed location would bring them closer to their families. The property is also located on a good public transport network, making visitation easier. It is also close to medical and educational facilities required by the children, with the Park medical centre being the neighbouring property immediately to the east. In addition, recreational facilities that the children are already taking advantage of are located across the road in Wythenshawe Park.

In this case it is not considered that that there is an over-concentration of people with additional support needs in the area and there would therefore be no demonstrable harm to the character of the area. Given the maximum number of children living at the property to be 4, this would have no greater impact that a single family residing at the property in terms of the impact upon the property itself, and the character of the area within which the property is located, or in terms of noise and comings and goings associated with a property of this size compared to this type of use.

The development is therefore considered to be in accordance with Core Strategy policies SP1, DM1, and H10 and saved policies DC2a.1 and DC2b.1 of the Unitary Development Plan.

Residential Amenity - The proposed use is of a residential nature and given the residential context of the neighbourhood the proposed use would be appropriate. The use entails the provision of 6 bedrooms and therefore the amount of accommodation and resulting activity is considered to be consummate with a typical dwelling house of this size.

It is considered that the level of staffing proposed is such that there will be comprehensive management of the premises and the individuals and the home would be overseen by qualified and experienced staff, with the goal being to integrate the resident children into the community.

Impact on the Highway - It is not expected that occupants of the proposed facility will own a car and it is expected that visitor numbers, including from officers of agencies involved in the care of the children, would typically be of a low number and of a relatively low frequency. Staff will be employed at the site, but, overall, it is not expected that demand for car parking, at the site, would be significantly different to occupation of the property by a typical family. The site is also in a sustainable location, close to Northenden Village, with good public transport links. It is considered that any vehicular activity and on-street car parking, associated with the site, can satisfactorily be absorbed within the existing highway.

Waste Management - The site has ample space, within its curtilage, where bins can be stored. It is not expected that the proposed use would generate a level of waste that would be significantly different to the previous use of the property, or that the existing arrangements would changes. A condition is, however, recommended in relation to submission of the proposed waste management arrangements.

Conclusion -This is a much- needed facility and it is not considered that there is an over- supply, of this type of facility in the area. A sufficient number of staff members will be present on site and it is considered that the right conditions are provided to allow residents of the premises to develop, without adversely impacting on the amenity of surrounding residents.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration- Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with both national and local policies.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
The development hereby approved shall be carried out in accordance with the following drawings and documents:
SA3838386-BRY-ST-PL-001 Site plan, dated 12.10.2020
SA3838386-BRY-ST-PL-002 location plan dated 12.10.2020
SA3838386-BRY-LG-PL-A-03 Existing floor plans- dated 26.10.2020
SA3838386-BRY-LG-PL-A-04 Proposed Floor Plans dated 26.10.2020
Berrys supporting statement - dated September 2020

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to first use of the premises as a residential care home for children a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the premises as a residential care home for children and thereafter retained and maintained for as long as the development remains in use.

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

4) The premises shall be occupied by a maximum of 4 children and all necessary medical, support and ancillary staff needed in conjunction with the use of the premises as a residential care home for children (Class C2).

Reason - In the interests of residential amenity and to ensure that provision of accommodation of satisfactory quality pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building shall be used for a residential care home for children (Class C2) only. No part of the building shall be used for any other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity and highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

145 Lawton Moor Road, Manchester, M23 0PR
143 Lawton Moor Road, Manchester, M23 0PR
151 Lawton Moor Road, Manchester, M23 0PR
220 Wythenshawe Road, Manchester, M23 0PH
214 Wythenshawe Road, Manchester, M23 0PH
222 Wythenshawe Road, Manchester, M23 0PH
165 Lawton Moor Road, Manchester, M23 0PW
163 Lawton Moor Road, Manchester, M23 0PW
149 Lawton Moor Road, Manchester, M23 0PR
147 Lawton Moor Road, Manchester, M23 0PR
Northern Moor Medical Practice, 216 Wythenshawe Road, Manchester, M23 0PH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH